

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

IN RE:	)	
	)	Chapter 11
KITTERY POINT PARTNERS, LLC,	)	Case No. 17-20316
	)	
Debtor	)	
	)	

**ORDER ON KITTERY POINT PARTNERS, LLC'S OBJECTION TO CLAIM  
OF BAYVIEW LOAN SERVICING, LLC PURSUANT TO FEDERAL  
RULE OF BANKRUPTCY PROCEDURE 3007(D)**

On May 4, 2018, Kittery Point Partners, LLC (the "Debtor") filed an objection to the Claim of Bayview Loan Servicing, LLC ("Bayview") pursuant to Fed. R. Bankr. P. 3007(d). On June 4, 2018, Bayview responded to the Debtor's Objection to Claim and, on June 12, 2018, Debtor replied thereto.

After a hearing on June 25, 2018, the Court having heard the arguments of counsel, and for the reasons stated on the record during the June 25, 2018 hearing, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

1. Debtor's Objection to Bayview's Claim involves a contested matter pursuant to Fed. R. Bankr. P. 9014(c). Rule 9014(c) makes Fed. R. Bankr. P. 7042 applicable, unless otherwise ordered by the Court, which the Court has not done. Rule 7042, in turn, makes Fed. R. Civ. P. 42 applicable. Fed. R. Civ. P. 42 addresses the consolidation of matters for hearing or trial. Consolidation is generally appropriate when there are common questions of law or fact at issue. The goal of consolidation is to avoid unnecessary costs or delay.

2. The Court concludes that it is appropriate to consolidate this contested matter with the pending Adversary Proceeding brought by the Debtor against Bayview. As a result, this

contested matter is hereby stayed to the same extent that the Adversary Proceeding is presently stayed. The parties are free to request an alteration to that stay at any time.

3. The Court temporarily allows Bayview's claim, for voting purposes only, on a plan, if any, under Fed. R. Bankr. P. 3018(a). This is not a determination of the merits to Bayview's claim or Debtor's objection to claim.

Dated: July 6, 2018



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The Honorable Michael A. Fagone  
United States Bankruptcy Judge  
District of Maine